Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Message Text

CONFIDENTIAL

PAGE 01 BONN 18468 01 OF 03 111734Z

45
ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 EURE-00 NSC-05 NSCE-00 INR-05 L-01

IO-03 SAJ-01 PRS-01 CIAE-00 DODE-00 SP-02 PM-03 /044 W
---------- 092317
P R 111720Z NOV 75
FM AMEMBASSY BONN
TO SECSTATE WASHDC PRIORITY 4304
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO BRUSSELS
USMISSION EC BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 03 BONN 18468

LIMDIS

E.O. 11652: GDS
TAGS: PFOR PGOV EEC WB GW US UK FR
SUBJECT: BERLIN AND DIRECT ELECTIONS TO THE EUROPEAN PARLIAMENT

REF: BONN 18334

BEGIN SUMMARY. IN INITIAL TRIPARTITE DISCUSSIONS, FRENCH BONN GROUP REP EXPRESSED VIEW THAT BERLINERS COULD NOT BE PERMITTED TO PARTICIPATE IN DIRECT ELECTIONS FOR EUROPEAN PARLIAMENT. HE THOUGHT THAT, IN PART BECAUSE OF POSSIBLE FUTURE NEED FOR RESTRICTING VOTING RIGHTS OF DEPUTIES FROM BERLIN, IT WOULD BE PREFERABLE TO FOLLOW THE SAME INDIRECT SYSTEM PRESENTLY USED FOR CHOOSING THE BERLIN REPRESENTATION TO THE BUNDESTAG. BRITISH REP SAID THAT LONDON'S PRELIMINARY VIEW WAS ALSO THAT AN INDIRECT SELECTION METHOD SHOULD BE USED. IN ADDITION, LONDON WAS LEANING TOWARD VIEW
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 18468 01 OF 03 111734Z

THAT BERLINERS SHOULD HAVE RESTRICTED VOTING RIGHTS IN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

THE EUROPEAN PARLIAMENT FROM THE OUTSET. THE FRENCH REP CLAIMED TO HAVE INFORMATION THAT SCHMIDT, GENSCHER AND SCHUETZ RECOGNIZED THE NECESSITY FOR USING AN INDIRECT ELECTION SYSTEM BUT WERE PRECLUDED FROM SAYING SO BECAUSE AN INTER-MINISTERIAL COMMITTEE OF STATE SECRETARIES HAD RECOMMENDED DIRECT ELECTIONS. EMBASSY RECOMMENDATIONS FOR US POSITION WILL BE SUBMITTED AFTER FURTHER TRIPARTITE AND QUADRIPARTITE CONSULTATIONS. END SUMMARY.

1. IN NOVEMBER 10 TRIPARTITE DISCUSSION OF FRG REQUEST FOR CONSULTATIONS ON PARTICIPATION OF BERLINERS IN DIRECT ELECTIONS TO EUROPEAN PARLIAMENT, US REP GAVE PRELIMINARY EMBASSY ANALYSIS ALONG LINES REFTEL. HE ADDED THAT OCCASION FOR ALLIED ACTION WOULD BE LAW ENACTED BY FRG TO IMPLEMENT DIRECT ELECTIONS SYSTEM, WHICH PRESUMABLY WOULD CONTAIN A BERLIN CLAUSE. IF LAW SPECIFIED THE NUMBER OF DEPUTIES TO BE ELECTED FROM EACH LAND IT MIGHT SHOW TWO DEPUTIES FROM "LAND BERLIN." THE ALLIED KOMMANDATURA WOULD BE CALLED UPON TO EXPRESS ITSELF AT THE TIME THE LAW WAS PROPOSED FOR TAKE-OVER IN BERLIN. US REP SUGGESTED THAT ONE OF THE FIRST QUESTIONS TO BE PUT TO THE GERMANS IN THE FORTHCOMING QUADRIPARTITE CONSULTATIONS SHOULD HAVE TO DO WITH THE STATUS OF THE NECESSARY FRG LEGISLATION.

2. OF THE THREE OPTIONS MENTIONED BY US REP FOR ANSWERING FRG QUESTION -- NO BERLIN REPRESENTATION IN EUROPEAN PARLIAMENT; INDIRECT ELECTION, AS IN THE BUNDESTAG; OR DIRECT ELECTION (PARA 8, REFTEL) -- BOTH BRITISH AND FRENCH REPS AGREED WITH OUR ASSUMPTION THAT THE FIRST WAS A THEORETICAL OPTION ONLY. NONE THOUGHT THAT THE ALLIED GOVERNMENTS WOULD CONSIDER IT NECESSARY OR FEASIBLE TO BRING AN END TO THE PRESENT SITUATION IN WHICH BERLINERS PARTICIPATE IN THE FRG REPRESENTATION AT STRASBOURG. SPEAKING TO THE OTHER TWO OPTIONS, UK REP (HITCH) THOUGHT THAT THE SECOND ONE MIGHT BE FURTHER SUBDIVIDED: INDIRECT ELECTION WITH FULL VOTING RIGHTS, OR INDIRECT ELECTION WITH REDUCED OR NO VOTING RIGHTS. HE SAID THAT LONDON PRELIMINARILY FAVORS THE LATTER. HITCH ALSO EXPRESSED SOME ANNOYANCE WITH THE WAY THE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BONN 18468 01 OF 03 111734Z

QUESTION HAD BEEN PUT TO THE ALLIES BY THE FRG, COMMENTING THAT BONN SHOULD HAVE AT LEAST PROVIDED ALLIES WITH RESULTS OF FRG CONSIDERATION OF QUESTION.

3. FRENCH REP (BOISSIEU) SAID HE UNDERSTOOD VERY WELL THE REASON FOR THE APPROACH THE FRG HAD USED. APPEARING TO BE WELL INFORMED ON THE INTERNAL GERMAN DECISION-MAKING ON THIS ISSUE, BOISSIEU SAID THAT IN TOP-LEVEL

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

DISCUSSIONS CHANCELLOR SCHMIDT AND BERLIN GOVERNING
MAYOR SCHUETZ HAD AGREED THAT THE BUNDESTAG-TYPE
INDIRECT SYSTEM WOULD HAVE TO BE USED FOR CHOOSING
BERLINERS FOR THE EUROPEAN PARLIAMENT. AFTER SOME
HESITATION, AND UNDER PRESSURE FROM FOREIGN OFFICE
POLITICAL DIRECTOR VAN WELL, FONMIN (AND SCHMIDT'S

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BONN 18468 02 OF 03 111740Z

45
ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 EURE-00 NSC-05 NSCE-00 INR-05 L-01

IO-03 SAJ-01 PRS-01 CIAE-00 DODE-00 SP-02 PM-03 /044 W
---------- 092364
P R 111720Z NOV 75
FM AMEMBASSY BONN
TO SECSTATE WASHDC PRIORITY 4305
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO BRUSSELS
USMISSION EC BRUSSELS

C O N F I D E N T I A L SECTION 02 OF 03 BONN 18468

LIMDIS

COALITION PARTNER) GENSCHER HAD AGREED. THE GOVERNMENT
HAD THEN CREATED A COMMITTEE COMPOSED OF FOUR STATE
SECRETARIES TO DRAW UP A CABINET PAPER FOR APPROVAL
BEFORE THE DECEMBER SESSION OF THE EUROPEAN COUNCIL.
THE COMMITTEE HAD, HOWEVER, PROPOSED THE SAME SYSTEM
AS FOR "NORMAL GERMAN REPRESENTATIVES" -- I.E., THAT
DIRECT ELECTIONS BE USED IN BERLIN.

4. BOISSIEU CONTINUED THAT, IN THE LIGHT OF THIS

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

COMMITTEE REPORT, IT WAS DIFFICULT FOR SCHMIDT, SCHUETZ, AND GENSCHER TO ADVOCATE INDIRECT ELECTIONS. IT WAS FOR THAT REASON THAT THE FRG APPROACH TO THE BONN GROUP HAD AVOIDED A "MAXIMALIST PROPOSAL" AND HAD BEEN COUCHED IN TERMS OF LEAVING IT AS AN OPEN QUESTION FOR THE ALLIES. (COMMENT: WE HAVE NO INDEPENDENT CONFIRMATION OF BOISSIEU'S REPORT, BUT IT IS PLAUSIBLE. BOISSIEU WAS UNCERTAIN WHICH FOUR STATE SECRETARIES WERE ON THE CONFIDENTIAL

COMMITTEE, OTHER THAN GEHLHOFF FROM THE FOREIGN OFFICE AND BAUM FROM THE INTERIOR MINISTRY; HE THOUGHT THE OTHER TWO WERE FROM JUSTICE AND INNER-GERMAN AFFAIRS. IF SO, THIS COULD ACCOUNT FOR THE RESULT. ON BERLIN MATTERS, THE MINISTRIES OF JUSTICE AND THE INTERIOR NORMALLY BASE THEIR POSITIONS ON THE STRICT WORDING OF THE FRG BASIC LAW AND THE CONSTITUTIONAL COURT DECISION WHICH IN EFFECT REQUIRES THE GOVERNMENT TO TREAT BERLIN AS A PART OF THE FRG. END COMMENT.)

5. DISCUSSING THE US PRESENTATION, BOISSIEU DISAGREED WITH THE SUGGESTION THAT THE METHOD OF CHOOSING BERLINERS WOULD NOT SIGNIFICANTLY INFLUENCE THE NATURE OF THE SOVIET PROTEST. HE COMMENTED THAT THE SOVIETS KNOW THE DIFFERENCE BETWEEN ALLIED ACTIONS WHICH REPRESENT THE MINIMUM THAT CAN BE DONE AND THOSE THAT REPRESENT THE MAXIMUM. HE THOUGHT THEIR PROTEST IN THE FORMER CASE MIGHT BE AIMED SIMPLY AT PROTECTING THEIR LEGAL POSITION, WHEREAS IN THE LATTER CASE THE SOVIET REACTION COULD BE ONE THAT WOULD GIVE US SERIOUS TROUBLES. AS FOR OUR VIEW THAT THE DETERMINING FACTOR MUST BE PROTECTION OF ALLIED RIGHTS AND RESPONSIBILITIES, BOISSIEU AGREED THAT IT IS THE ACTIONS OF THE EUROPEAN PARLIAMENT, RATHER THAN THE MANNER OF CHOOSING DEPUTIES, WHICH COULD AFFECT THOSE RIGHTS AND RESPONSIBILITIES. NEVERTHELESS, HE OBSERVED THAT THERE IS A HIGH POLITICAL AND PSYCHOLOGICAL ASPECT TO THE ELECTION METHOD QUESTION. FOR PUBLIC OPINION, IT WOULD BE SIGNIFICANT THAT BERLINERS WERE PARTICIPATING IN ELECTIONS TO A NON-BERLIN PARLIAMENTARY BODY FOR THE FIRST TIME SINCE 1945. IN ADDITION, IT HAS BEEN MADE CLEAR TO THE SOVIETS THAT THE ALLIED RESERVATIONS CONCERNING THE SELECTION OF BERLINERS FOR THE BUNDESTAG ARE FOR THE ALLIES A PART OF THE STATUS OF BERLIN. IT WOULD BE IMPOSSIBLE TO EXPLAIN TO THE SOVIETS (OR FOR THE FEDERAL GOVERNMENT TO EXPLAIN IN PUBLIC) WHY DIRECT ELECTION OF REPRESENTATIVES FROM BERLIN TO STRASBOURG WAS POSSIBLE, WHILE DIRECT ELECTION OF BERLIN REPRESENTATIVES TO THE BUNDESTAG SHOULD REMAIN IMPOSSIBLE.

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

6. BOISSIEU DISCUSSED ALSO THE POWERS OF THE DEPUTIES
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BONN 18468 02 OF 03 111740Z

TO THE EUROPEAN PARLIAMENT, EXPRESSING THE VIEW THAT IT WOULD BE BETTER TO KEEP SOME DISTINCTIONS IN THE STATUS OF BERLINERS FROM THE OUTSET BECAUSE OF THE POSSIBLE FUTURE NEED FOR PLACING LIMITATIONS ON THE SORTS OF ISSUES THEY MIGHT BE PERMITTED TO VOTE UPON. IT WAS CONCEIVABLE, FOR EXAMPLE, THAT THE EUROPEAN PARLIAMENT MIGHT BE EMPOWERED AT SOME DISTANT POINT TO VOTE ON SUCH MATTERS AS DEFENSE BUDGETS. IF BERLINERS HAD BEEN ELECTED IN THE SAME WAY AS ALL OTHER DEPUTIES, NO ONE IN EUROPE WOULD BE ABLE TO UNDERSTAND HOW THEY COULD HAVE ONLY RESTRICTED POWERS. PARTLY FOR THIS REASON -- AND RECALLING THAT SCHMIDT, GENSCHER, AND SCHUETZ WERE AT LEAST OPEN TO THE IDEA OF INDIRECT ELECTIONS -- BOISSIEU CONCLUDED THAT HE WAS VERY MUCH IN FAVOR OF USING THE SAME SYSTEM IN BERLIN FOR THE EUROPEAN PARLIAMENT AS FOR THE BUNDESTAG.

7. HITCH AGREED THAT THE INABILITY TO SAY THAT A DEPUTY CHOSEN BY DIRECT ELECTION COULD HAVE NO VOTE OR A LIMITED ONE WAS ONE OF THE REASONS BEHIND LONDON'S TENDENCY TO FAVOR INDIRECT ELECTIONS.

8. US REP ASKED WHETHER EC WOULD ACCEPT THE NOTION THAT NOT ALL DEPUTIES HAD THE SAME VOTING RIGHTS. NEITHER BOISSIEU NOR HITCH THOUGHT THIS WOULD BE A PROBLEM, IF THE UK, FRANCE AND FRG TOLD THE OTHER MEMBERS OF THE EC

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BONN 18468 03 OF 03 111737Z

45
ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 EURE-00 NSC-05 NSCE-00 INR-05 L-01

IO-03 SAJ-01 PRS-01 CIAE-00 DODE-00 SP-02 PM-03 /044 W

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

---------- 092352
P R 111720Z NOV 75
FM AMEMBASSY BONN
TO SECSTATE WASHDC PRIORITY 4306
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO BRUSSELS
USMISSION EC BRUSSELS

C O N F I D E N T I A L SECTION 03 OF 03 BONN 18468

LIMDIS

THAT IT WAS REQUIRED. BOISSIEU THOUGHT THE PROPER
COURSE WOULD BE FOR THE ALLIES TO MAKE THE NECESSARY
RESERVATIONS WHEN ADDRESSING TAKE-OVER IN BERLIN OF THE
GERMAN ELECTION LAW AND FOR THE FRG TO INFORM THE EC
THAT THE ALLIES HAD ORDERED A SPECIAL REGIME FOR BERLIN.
IN THE ENSUING DISCUSSION OF HOW ALLIED RESERVATIONS
SHOULD BE EXPRESSED, BOISSIEU SAID THAT, SINCE THE FRG
ELECTION LAW WOULD NOT ADDRESS THE POWERS OF THOSE
ELECTED, IT WOULD BE VERY DIFFICULT FOR THE AK TO SAY
IN THAT CONNECTION THAT BERLINERS COULD NOT VOTE. IT
WOULD ALSO BE DIFFICULT TO DEFINE ISSUES ON WHICH VOTING
RIGHTS WOULD BE RESTRICTED IN THE FUTURE. HE SUGGESTED
THAT IT MIGHT BE POSSIBLE FOR THE ALLIES TO EXPRESS
GENERAL RESERVATIONS NOW -- PERHAPS SIMPLY RECALLING
BK/L 57(44) -- THUS LEAVING OPEN THE RIGHT TO REVIEW
THE MATTER OF WHAT VOTING RIGHTS BERLINRS WOULD HAVE
AT STRASBOURG WHEN THE POWERS OF THE EUROPEAN PARLIAMENT
WERE INCREASED.

CONFIDENTIAL

CONFIDENTIAL

9. COMMENT: WHILE INCONCLUSIVE, THIS INITIAL
DISCUSSION REPRESENTED A USEFUL POOLING OF IDEAS. IN
THE OPENING QUADRIPARTITE CONSULTATIONS LATER THIS WEEK,
NONE OF THEALLIED REPS PLANS TO TAKE A FIRM POSITION ON
THE ISSUE BUT WILL SEEK FURTHER DETAILS ON GERMAN
PLANNING, ON SUCH MATTERS AS THE NATURE OF THE ELECTION
LAW BEING CONSIDERED, WHILE STATING THAT THE QUESTION
IS UNDER ACTIVE REVIEW IN ALLIED CAPITALS. WE WILL
FORWARD EMBASSY RECOMMENDATIONS AFTER FURTHER EXCHANGES
OF VIEWS HERE. MEANWHILE, COMMENTS FROM USBER OR OTHER
ADDRESSEES WOULD BE WELCOME.
HILLENBRAND

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

CONFIDENTIAL

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REGIONAL ORGANIZATIONS, CENTRAL LEGISLATURE, ELECTIONS, BERLIN TRIPARTITE MATTERS, COMMITTEE MEETINGS, MEETING PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 NOV 1975
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BONN18468
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750392-0299
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751155/aaaabxqb.tel
Line Count: 330
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS
Reference: 75 BONN 18334
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 23 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 APR 2003 by BoyleJA>; APPROVED <15 OCT 2003 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BERLIN AND DIRECT ELECTIONS TO THE EUROPEAN PARLIAMENT
TAGS: PFOR, PGOV, WB, GE, US, UK, FR, EEC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006